

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRANDON DAWSON,

Plaintiff,

CASE NO. 1:07-cv-1219

v.

HONORABLE PAUL L. MALONEY

UNKNOWN WARR, et al.,

Defendants.

/

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

The Court has reviewed the Report and Recommendation (Dkt. #65) filed by United States Magistrate Judge Ellen S. Carmody in this action. The Report and Recommendation was duly served on the parties. No objections have been filed.

ACCORDINGLY, the Report and Recommendation is hereby adopted as the opinion of the Court.

THEREFORE, IT IS HEREBY ORDERED that Defendant's Holmes' Motion for Summary Judgment (Dkt. #62) is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff's complaint is dismissed and this action is terminated.

Because the plaintiff proceeds *in forma pauperis*, the Court must determine whether any appeal would be taken in good faith. *See* 28 U.S.C. § 1915(a)(3); *McGore v. Wrigglesworth*, 114 F.3d 601, 610 (6th Cir. 1997). Because no objections have been filed, the court concludes that an appeal would not be taken in good faith.

Dated: August 25, 2010

/s/ Paul L. Maloney

Paul L. Maloney

Chief United States District Judge